

# The County Of Yuba

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## OFFICE OF THE COUNTY COUNSEL

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July 12, 2019

MuckRock News  
DEPT MR 76578  
Attn: Dan Rubins  
411A Highland Ave.  
Somerville, MA 02144-2516  
76578-89773019@requests.muckrock.com

*Sent via E-mail and First Class Mail*

Dear Mr. Rubins:

This letter serves as the Yuba County District Attorney's Office (the "County") initial response, under California Government Code sections 6253(c) and 6255(b), to your July 4, 2019, Public Records Act request ("PRAR"), wherein you seek documents regarding "Brady lists," et al..

The County is currently making a good faith effort to locate any and all records that may be potentially responsive to your request.

Please note that the County will not produce privileged records or documents that are otherwise exempt from disclosure pursuant to California Government Code section 6254(k), including, but not limited to, the deliberative process privilege; preliminary notes, drafts and memoranda exemption (Gov. Code §6254(a)); investigative records (Gov. Code §6254(f)); attorney-client privilege and/or attorney work product (Gov. Code §6254(k)); official information privilege (Evid. Code §1040; Gov. Code §6254(k)); permit applicant's personal financial data information (Gov. Code § 6254(n)); and the public interest exemption (Gov. Code §§ 6254(a); 6255). Further, as we gather the records for production, we may discover other applicable privileges or exemptions or both under Government Code sections 6254, 6255, 6256, or other applicable state or federal laws, and we reserve any and all rights to assert such privileges or exemptions at any time.

The County will provide responsive records which will be made available for review and duplication at the Yuba County Counsel's Office during regular business hours. **I anticipate these records will be made available for inspection/copying starting August 12, 2019**, and will continue on a rolling basis as the County continues to compile, review, and redact as necessary. If you would like to obtain printed copies of the requested records, you will be required to pay the County's copy charge of \$.25 per black

and white page (8 ½ by 11)/\$1.00 per color page (8 ½ by 11), per Government Code Section 6253(b) and Title 13, section 13.20.100 of the Yuba County Ordinance Code. Should the requested records be available in electronic format, we will forward them to you via email. However, copying charges may still be necessary for certain digitally-scanned documents that require hand-redaction prior to production.

You have indicated that you would like any responsive records currently kept by the County to be sent to you digitally. I will send any responsive records to [76578-89773019@requests.muckrock.com](mailto:76578-89773019@requests.muckrock.com) unless you instruct me otherwise. In addition, I will notify you if there are any anticipated costs.

I am working with both the Yuba County District Attorney's Office and the Yuba County Sheriff's Office in an ongoing diligent effort to locate and identify any records responsive to your request. It is anticipated that the County's identification of any records in this Initial Disclosure Letter will be further supplemented as more records are discovered. I have indicated that I expect any responsive records to be available within thirty days, but this just an estimate and it will depend on how quickly I can get any potential documents, and what volume of records there may be. I will need to review for any privileges and/or exemptions. Assuming responsive documents exist, and assuming there is a reasonable volume of responsive documents, I should be able to get them to you relatively quickly. If I can get them to you sooner, I will certainly try.

With that said, without waiving any privileges or exemptions, or any other legal rights, I expect to provide a more detailed supplemental response to each of your specific requests once I have a chance to review any potentially responsive documents. The County is aware of its duty to provide public records, and it is the County's intention to try to work with you in this matter. While you are not required to do so, it may help if you let me know the reason for your request so that we might better narrow the parameters of our search to help effectuate your ends.

The decision to release certain records and/or to object to the release of other records was and/or will be made by Sims Ely, Deputy County Counsel.

If you have any further questions or concerns, please do not hesitate to contact me directly either by email at [sely@co.yuba.ca.us](mailto:sely@co.yuba.ca.us) or by telephone at (530) 749-7565.

Very truly yours,



Sims Ely  
Deputy County Counsel

SE/ejs